

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 113
91ST GENERAL ASSEMBLY

Reported from the Committee on Labor, February 15, 2001, with recommendation that the House Committee Substitute for House Bill No. 113 Do Pass.

TED WEDEL, Chief Clerk

0656L.03C

AN ACT

To amend chapter 8, RSMo, by adding thereto two new sections relating to state building contracts.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 8, RSMo, is amended by adding thereto two new sections, to be known as sections 8.252 and 8.254, to read as follows:

8.252. 1. No public owner, as defined in subsection 5 of this section, or construction manager providing construction management services for a public owner, shall allow any contractor or other entity to bid for the erection or construction of any building, improvement, alteration or repair project with a contract cost in excess of two hundred thousand dollars until the public owner determines that the contractor satisfies the prebid requirements set out in subsection 2 of this section.

2. For the purposes of determining the prebid qualifications of contractors governed by subsection 1 of this section, the public owner shall consider the following:

(1) The contractor's experience in performing work of a similar character, size and complexity;

(2) The contractor's insurance coverage, including comprehensive general liability, worker's compensation and automobile coverage;

(3) The contractor's listing of all current projects in progress, including the value of projects not yet completed and their completion dates; and

(4) The contractor's efforts to achieve racial diversity in its contracting and its hiring.

3. Every contractor, prior to being allowed to submit a bid for a project with an

18 estimated cost in excess of two hundred thousand dollars, shall provide information to the
19 public owner necessary for a determination of the prebid qualifications pursuant to
20 subsection 2 of this section. The public owner or construction manager providing
21 construction management services for such public owner shall administer the provisions
22 of this section as a prebid qualification standard, in such a manner as to allow potential
23 bidders, subject to the provisions of this section, the opportunity to submit prebid
24 qualifications for review and approval or rejection by the public owner prior to the date
25 set by the public owner for receiving bids. The public owner shall inform any contractor
26 subject to the provisions of this section as to whether the contractor is qualified to bid on
27 the project or is disqualified from bidding. Such notification shall be provided to the
28 contractor in advance of the due date for bids. If the contractor is disqualified, the reasons
29 for disqualification shall be stated, and the opportunity shall be provided to the
30 disqualified contractor to submit additional or corrective information in order to become
31 qualified to bid on projects of the public owner. Contracts for projects subject to this
32 section shall be awarded by competitive bidding as provided by law.

33 4. For purposes of this section, "public owner" shall mean the state of Missouri or
34 any officer, official, authority, agency, department, board or commission of the state; but
35 not the state highways and transportation commission, the department of transportation
36 or any local political subdivision of this state.

8.254. 1. It shall be the policy of the state of Missouri to hire only those contractors
2 who perform quality work to complete construction projects on behalf of the state.

3 2. If at any time a construction contractor performs less than satisfactory work on
4 any state project, the contracting agency may determine the contractor to be ineligible to
5 contract for state projects for a specified period of time.